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26259 7590 01/27/2009 LICATA & TYRRELL P.C. 66 E. MAIN STREET MARLTON, NJ 08053				
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Malovrh et al. disclose a composition consisting essentially of a sponge toxin, sponge toxin comprises poly-APS (stock solution of poly-APS) (p.222 1st column 1st paragraph), sponge toxin is isolated from *Reniera sarai*, sponge toxin has a molecular weight between 5.0 kDa to 20 kDa (p. 221, Abstract and Introduction 1st column, p. 222 Fig.1a.). Malovrh et al. also disclose the concentration of sponge toxin is between 0.5 ng/ml and 0.5 µg/ml (p.223 Fig 2. see Figure legend lines 2-3). Malovrh et al. further disclose poly-APS induced hemolysis in a dose-dependent manner (p.223 1st column 2nd paragraph lines 1-2).

Although, Malovrh et al. do not disclose the composition for the reversible pore-formation, because the sponge toxin disclosed by prior art is "poly-APS", the same as that of the claimed sponge toxin, therefore it inherently possess and must exhibit the reversible pore forming properties of the claimed composition. Therefore, Malovrh et al. clearly anticipate the claimed composition. As indicated in MPEP, "Products of identical chemical composition can not have mutually exclusive properties." A chemical composition and its properties are inseparable. Therefore, if the prior art teaches the identical chemical structure, the properties applicant discloses and/or claims are necessarily present. In re Spada, 911 F.2d 705, 709, 15 USPQ2d 1655, 1658 (Fed. Cir. 1990).

Applicant argues that the sponge toxin of the instant application is different from that taught by Malovrh et al. and none of the cited references teach or suggest the composition of claim 30. However, Applicant fails to show how.